

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Chapter 7 Estate of Bernard L.  
Madoff,

Plaintiff,

v.

SIX SIS AG,

Defendants.

Adv. Pro. No. 12-01195 (CGM)

**AMENDED STIPULATION AND ORDER**

**WHEREAS**, on March 22, 2012, Irving H. Picard (the “Trustee”), as Trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa-III, and the substantively consolidated Chapter 7 estate of Bernard L. Madoff filed a complaint (the “Complaint”) against Defendant SIX SIS AG (“SIX SIS”, and together with the Trustee, the “Parties”) seeking to recover avoidable transfers from BLMIS under section 550 of the Bankruptcy Code;

**WHEREAS**, on April 12, 2022, the Parties entered into a Stipulation and Order on briefing (“Briefing Stipulation”), which was so-ordered on April 13, 2022 (ECF No. 114);

**WHEREAS**, the Complaint was amended on May 6, 2022 (“Amended Complaint”) (ECF No. 115) with SIX SIS’s consent in accordance with the Briefing Stipulation; and

**WHEREAS**, SIX SIS has requested and the Trustee has agreed to amend the Briefing Stipulation;

**IT IS HEREBY STIPULATED AND AGREED** by and between the Parties by the endorsement of their counsel below, that:

1. SIX SIS will answer, move or otherwise respond to the Amended Complaint on or before **July 8, 2022**. If SIX SIS files a motion to dismiss the Amended Complaint, such motion shall set forth any and all grounds for dismissal at the pleading stage.
2. The Trustee will file any opposition to SIX SIS’s motion on or before **September 9, 2022**.
3. SIX SIS will file any reply brief in support of their motion on or before **October 10, 2022**.
4. In either case, the Parties reserve the right to seek oral argument on the motion.
5. The deadlines established by this Amended Stipulation are without prejudice to either Party seeking future extensions of time.
6. Except as expressly set forth herein, the Parties reserve all rights and defenses they may have, and entry into this Amended Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

Dated: June 29, 2022  
New York, New York

/s/ David J. Sheehan  
**Baker & Hostetler LLP**

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*Attorneys for Irving H. Picard, Trustee  
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Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Chapter 7  
Estate of Bernard L. Madoff*

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*Special Counsel for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff*

**SO ORDERED.**

/s/ Erin Valentine  
**Chaffetz Lindsey LLP**

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*Attorneys for SIX SIS AG*

**Dated: June 30, 2022  
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris  
U.S. Bankruptcy Judge**